STATE OF COLORADO }
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COUNTY OF ELBERT }

At a regular meeting of the Board of County Commissioners of Elbert County, State of Colorado, held at the Elbert County Courthouse in Kiowa, Colorado 80117 on Wednesday, the 25th day of June, 2014, there were present:

Kurt Schlegel Robert Rowland Larry Ross

County Commissioner and Chairman County Commissioner and Vice-Chairman

County Commissioner

Sheryl Caldwell

Deputy and Clerk to the Board

When the following proceedings, among others, were had and done, to wit:

## RESOLUTION 14-<u>34</u> A RESOLUTION AMENDING THE ELBERT COUNTY OPEN RECORDS REQUEST PROCEDURE AND POLICY

WHEREAS, the Colorado Open Records Act (CORA), C.R.S. 24-72-201 *et seq*, declares that it is the public policy of this state that all public records shall be open for inspection by any person at reasonable times, except as provided by law; and

WHEREAS, the Colorado Open Records Act (CORA) has recently been amended by House Bill 14-1193, which goes into effect July 1, 2014, and which provides under C.R.S. 24-72-205 (6)(a) that a custodian may impose a fee in response to a request for the research and retrieval of public records only if there is a written policy posted on the custodian's website or otherwise published that specifies the applicable conditions concerning the research and retrieval of the public records of the custodian, including the amount of any current fee. Under such policy, the custodian shall not impose a charge for the first hour of time expended in connection with the research and retrieval of public records. After the first hour of time has been expended, the custodian may charge a fee for the research and retrieval of public records that shall not exceed thirty dollars per hour; and

WHEREAS, the Board of County Commissioners has determined that there is a need to amend the existing Elbert County Open Records Request Procedure and Policy to comply with the new requirements of House Bill 14-1193, as stated above.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ELBERT COUNTY, COLORADO that existing Elbert County Open Records Request Procedure and Policy shall be amended to add language stating that the Elbert County Custodian of Records shall not impose a charge for the first hour of time expended in connection with the research and retrieval of public records. After the first hour of time has

been expended, the custodian shall charge a fee for the research and retrieval of public records of thirty dollars per hour, effective July 1, 2014. The amended Elbert County Open Records Request Procedure and Policy shall be made available to the public at the County Administrative Offices at 215 Comanche Street, Kiowa, CO 80017, and published on the County Website, on or before July 1, 2014.

APPROVED AND ADOPTED this Zelay of June, 2014.

Upon a Motion duly made and seconded, the foregoing resolution was adopted by the following vote:

KURT SCHLEGEL, CHAIRMAN

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ROBERT ROWLAND, VICE- CHAIRMAN

LARRY ROSS, COMMISSIONER

ATTEST: DALLAS SCHROEDER COUNTY CLERK

DEPUTY, CLERK TO THE BOARD

SEAL \*